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March 4, 2021

Magistrate Judge Stephen C. Dries
United States District Courthouse
517 E. Wisconsin Ave.
Milwaukee, WI 53202

Re: *United States v. Desean Mitchell*
Case No. 21-cr-13

Dear Judge Dries:

I write to inform the Court that I have finished my review of the discovery that the government disclosed in this case, and with that I do not plan to file any pretrial motions at this time. However, I would ask that the Court wait until Monday to refer Mr. Mitchell's case to Judge Adelman for the following reasons.

I received the discovery on February 11. Because of the volume of the discovery, the government asked that we provide a blank 128gb flash drive. Mr. Mitchell is at the Milwaukee County House of Corrections (HOC), and I was unsure of their discovery policy, and I was also concerned about the volume of it, so I did not initially make arrangements to get it to Mr. Mitchell. Unfortunately, I was reminded of that failure to send him the discovery when he told me during a scheduled call with him on February 23 (a call that we set up on February 17). We sent the discovery the next day, February 24, after contacting the HOC to ask about their policy, which we followed. Today, I heard from Mr. Mitchell's mother that he had still been unable to review it, and that was confirmed when we received in the mail our discovery package to Mr. Mitchell marked "refused" and "unauthorized." My assistant again reached out to the HOC; she spoke to

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the property manager at the HOC who explained the confusion (and also mentioned that they'd never previously received discovery in a flash drive in a federal case). So we're resending the discovery to the property manager directly with the hope that it works out this time. Lastly, although I received conflicting signals, I believe I have a scheduled zoom conference with Mr. Mitchell later this evening.

With that history, I ask that the Court delay until Monday referring this case to Judge Adelman so I have a chance to talk with Mr. Mitchell about his case and the discovery. On Monday, I will follow up this request with either a letter confirming that I have no motions to file, or a motion seeking more time to consider filing motions. I spoke with AUSA Kate Biebel today, and she has no objection to that approach.

Sincerely,

s/ John W. Champion
John W. Champion

JWC/jmb

enclosure